

Senate Study Bill 1152 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOGG)

A BILL FOR

1 An Act prohibiting certain agreements for the apportionment
2 of water utility or enterprise charges under the uniform
3 residential landlord and tenant Act and including
4 applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 562A.11, subsection 1, Code 2013, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *e.* Agrees to the apportionment of water
4 utility or enterprise charges that are separately billed
5 to a tenant of a building where the dwelling units are not
6 separately metered by the utility or enterprise.

7 Sec. 2. APPLICABILITY. This Act applies to residential
8 lease agreements entered into on or after July 1, 2013.

9 EXPLANATION

10 This bill prohibits residential lease agreements from
11 incorporating provisions for the apportionment of water utility
12 or enterprise charges that are separately billed to a tenant of
13 buildings where the dwelling units are not separately metered.

14 Under current law, if a landlord willfully uses a rental
15 agreement containing prohibited provisions, which are known
16 by the landlord to be prohibited, a tenant may recover actual
17 damages sustained by the tenant and not more than three months'
18 periodic rent and reasonable attorney fees. The bill applies
19 to residential lease agreements entered into on or after July
20 1, 2013.